

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

_____	)	
JOHN DOE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No: 1:19-cv-00013-JL
	)	
TRUSTEES OF DARTMOUTH COLLEGE,	)	
	)	
Defendant.	)	
_____	)	

**JOINT MOTION TO SEAL PRELIMINARY INJUNCTION HEARING EXHIBITS**

Pursuant to Local Rule 83.12, the parties, Defendant Trustees of Dartmouth College (“Dartmouth”) and Plaintiff John Doe, move the Court to maintain under seal (Level I), for an indefinite period, the following proposed exhibits for the hearing on Plaintiff’s Motion for Preliminary Injunction.

**Defendant’s proposed exhibits to be filed under seal**

Exhibit 2 - The final Investigation Report, November 29, 2018 (filed under seal, Dkt. No. 18)

Exhibit 3 - Notice to Doe about sexual assault allegation and investigation, July 5, 2018

Exhibit 4 - Signed Statement of Understanding, July 13, 2018

Exhibit 5 - Letter from Doe’s attorney-advisor providing witness list and evidence, July 20, 2018

Exhibit 6 - The preliminary Investigation Report, September 21, 2018

Exhibit 7 - Doe’s response to the preliminary Investigation Report, October 8, 2018

Exhibit 10 - Doe’s appeal, December 19, 2018

Exhibit 11 - Appeal outcome letter from Elizabeth Agosto to Doe, January 21, 2019

**Plaintiff's proposed exhibits to be filed under seal**

Exhibit 2 - November 29, 2018 Confidential Report of Dartmouth College Investigation of Sexual Misconduct (Final Report) (DC0000001-DC0000020)

Exhibit 3 - Sally Smith Interviews

Exhibit 4 - John Does Interviews

Exhibit 5 - Text Messages between Sally Smith and John Doe

Exhibit 6 - Text Messages between Sally Smith and Witness (DCC0000544-DC0000551)

Exhibit 7 - Text Messages between Sally Smith and Witness (DCC0000512-DC0000521)

Exhibit 8 - Text Messages between Sally Smith and Witness (DCC0000590-DC0000594)

Exhibit 9 - Photos of Sally Smith (DC0000505-DC0000508)

Exhibit 10 - May 20, 2018 and May 21, 2018 emails between Kristi Clemens and Sally Smith (DC0000138-DC00000139)

Exhibit 11 - July 5, 2018 letter from Katharine Strong to John Doe (DC0000025-DC0000026)

Exhibit 12 - July 5, 2018 letter from Katharine Strong to Sally Smith (DC0000027-DC0000028)

Exhibit 13 – July 13, 2018 Statement of Understanding of Students' Rights in Disciplinary Matters (DC0000657-DC0000659)

Exhibit 14 - July 18, 2018 email from Sally Smith to Investigator Hellstedt (DC00000140)

Exhibit 15 - July 20, 2018 letter from John Doe's advisor to Investigator Hellstedt

Exhibit 17 - July 31, 2018 email from Sally Smith to Investigator Hellstedt (DC00000141)

Exhibit 18 - August 20, 2018 letter from John Doe's advisor to Attorney Iyer

Exhibit 19 - August 25, 2108 email from Sally Smith to Investigator Hellstedt (DC00000144)

Exhibit 20 - September 4, 2018 letter from Dana Scaduto to John Doe's advisor

Exhibit 21 - September 7, 2108 email from Sally Smith to Investigator Hellstedt (DC00000144)

Exhibit 22 - September 21, 2018 Confidential Report of Dartmouth College Investigation of Sexual Misconduct (Preliminary Report) (DC0000665-DC0000678)

Exhibit 23 - October 8, 2018 letter from John Doe to Investigator Hellstedt (DC00000647-DC0000656)

Exhibit 26 - November 16, 2018 letter to John Doe

Exhibit 27 – John Doe Sanctioning Statement

Exhibit 28 - Sally Smith Sanctioning Statement (DC0000636-DC0000638);

Exhibit 29 - December 19, 2018 John Doe Appeal Letter (DC0000639-DC0000645);

Exhibit 30 - January 21, 2019 Dartmouth response to Appeal Letter

In support of this motion, the Parties submit the accompanying Memorandum of law.

*Attorneys for John Doe*

/s/ William E. Christie  
WILLIAM E. CHRISTIE  
NH Bar # 11255  
S. AMY SPENCER  
NH Bar # 266617  
ALEXANDER W. CAMPBELL  
NH Bar # 268958  
SHAHEEN & GORDON, P.A.  
107 Storrs Street  
Concord NH 03302  
(603) 225-7262  
wchristie@shaheengordon.com  
saspencer@shaheengordon.com  
acampbell@shaheengordon.com

*Attorneys for Trustees of Dartmouth College*

/s/ Katherine A. Guarino  
DARYL J. LAPP  
(admitted pro hac vice)  
ELIZABETH H. KELLY  
(admitted pro hac vice)  
KATHERINE A. GUARINO  
NH Bar # 264846  
LOCKE LORD LLP  
111 Huntington Avenue  
Boston, MA 02199  
(617) 239-0100  
daryl.lapp@lockelord.com  
liz.kelly@lockelord.com  
katherine.guarino@lockelord.com

January 23, 2019

**Certificate of Service**

I certify that on January 23, 2019, I caused the foregoing document to be served on counsel of record for all parties that have appeared to date through the Court's CM/ECF system:

William E. Christie  
S. Amy Spencer  
Alexander William Campbell  
Shaheen & Gordon  
107 Storrs St  
PO Box 2703  
Concord, NH 03302-2703

/s/ Katherine A. Guarino  
Katherine A. Guarino